

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

UNITED STATES OF AMERICA

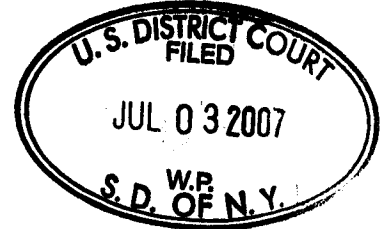
INFORMATION

- v. -

07 C **07 CRIM. 602 (CLB)**

THEODORE O'BRIEN,

Defendant.



COUNT ONE

The United States Attorney charges:

1. On or about June 28, 2005, in the Southern District of New York, THEODORE O'BRIEN, the defendant, unlawfully, willfully, and knowingly, received and distributed child pornography that had been mailed, and shipped and transported in interstate and foreign commerce by any means, including by computer, to wit, O'BRIEN sent at least 40 images of child pornography to an individual located in Detroit, Michigan via an instant messaging network.

(Title 18, United States Code, Sections 2252A(a)(2)(A).)

COUNT TWO

The United States Attorney further charges:

2. On or about December 21, 2006, in the Southern District of New York, THEODORE O'BRIEN, the defendant, unlawfully, willfully, and knowingly, possessed a book, magazine, periodical, film, videotape, computer disk, and other material that contained images of child pornography that had been mailed, and shipped and transported in interstate and foreign commerce by any means,

including by computer, and that was produced using materials that had been mailed, and shipped and transported in interstate and foreign commerce by any means, including by computer, to wit, computer files containing images of child pornography.

(Title 18, United States Code, Section 2252A(a)(5)(B).)

Michael J. Garcia
MICHAEL J. GARCIA
United States Attorney

[illegible]

Ball
adjudged to
pre-sentence
pleads guilty to
previously entered plea of not guilty and
(Attorney present) Defendant withdrew the